

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
10

11 DONALD G. LOOMIS,

12 Plaintiff,

13 vs.

14 UNITED STATES OF AMERICA et al.,

15 Defendants.

CASE NO. 08 CV 1367 JM (JMA)

**ORDER DISMISSING ACTION
WITHOUT PREJUDICE**

16 Plaintiff Donald G. Loomis, proceeding *pro se*, filed an action in this court on July 29, 2008.
17 Plaintiff's motion for leave to proceed *in forma pauperis*, submitted with his complaint, was denied.
18 Plaintiff paid the full filing fee on October 7, 2008. On April 8, 2009, the court ordered Plaintiff to
19 show cause why this action should not be dismissed for failure to effect service of process pursuant
20 to Fed. R. Civ. P. 4(m) and for lack of prosecution under Civil Local Rule 41.1. Plaintiff did not
21 respond to the order to show cause within the time provided.

22 Accordingly, the court hereby **DISMISSES** the action without prejudice. The Clerk of Court
23 is instructed to close the case file.

24 **IT IS SO ORDERED.**

25 **DATED: May 20, 2009**

26 
27 **Hon. Jeffrey T. Miller**
28 **United States District Judge**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28